

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHELLE BRYANT,  
Petitioner,  
v.  
W. Z. JENKINS, Warden,  
Respondent.

Case No. [20-cv-02524-YGR](#) (PR)

**ORDER DENYING PETITION FOR  
WRIT OF HABEAS CORPUS; AND  
DENYING CERTIFICATE OF  
APPEALABILITY**

Having read and considered the papers filed in connection with this matter and being fully informed,<sup>1</sup> the Court finds that Petitioner is not entitled to credit toward her sentence for time spent in pretrial home confinement. *See* 18 U.S.C. § 3585(b); *Reno v. Koray*, 515 U.S. 50 (1995); *Winkleman v. Hayes*, No. C 94-3770, 1995 WL 688648 (N.D. Cal. Nov. 9, 1995). Accordingly, the petition is DENIED and no writ of habeas corpus shall issue.

No certificate of appealability is warranted in this case. *See* Rule 11(a) of the Rules Governing Section 2254 Cases. Petitioner has not made “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). Nor has Petitioner demonstrated that “reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Petitioner may not appeal the denial of a Certificate of Appealability in this Court but may seek a certificate from the Court of Appeals under Rule 22 of the Federal Rules of Appellate Procedure. *See* Rule 11(a) of the Rules Governing Section 2254 Cases.

<sup>1</sup> Even though Petitioner was given the opportunity to do so, she has not filed a traverse, and the time frame for doing so has passed.

1 The Clerk of the Court shall terminate all pending motions and close the file.

2 IT IS SO ORDERED.

3 Dated: 11/16/2020

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6 YVONNE GONZALEZ ROGERS  
7 United States District Judge  
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